



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: George C. Grisaffe - Tax Return Preparation Fee
File: B-223574
Date: April 23, 1987

DIGEST

After the employee filed his Federal and state income tax returns, his agency issued an amended Form W-2 which reflected higher wages and tax withholdings for his relocation expenses. We deny the employee's claim for reimbursement of a \$70 tax preparation fee for filing amended tax returns. There is no authority to reimburse employees for the cost of an accountant-prepared tax return even though the agency's error necessitated filing amended tax returns.

DECISION

The issue in this decision involves an employee's claim for an accountant's tax return preparation fee which was incurred when an agency error in the employee's earnings statement necessitated the filing of amended tax returns. We deny the claim since there is no authority to reimburse such expenses.

BACKGROUND

This decision is in response to a request from Richard E. Morin, Chief, Branch of Financial Management, Southwestern Power Administration, Department of Energy (DOE), concerning the claim of Mr. George C. Grisaffe, a DOE employee.

Mr. Grisaffe was reimbursed for certain relocation expenses, and the agency issued a Form W-2 wages and earnings statement on January 30, 1986, which reflected his relocation expenses and the Federal and state income tax withholdings for the prior year. Mr. Grisaffe then filed his Federal and state income tax returns before April 15, 1986.

The agency discovered an error on the Form W-2 on April 22, 1986, and issued a corrected W-2 to Mr. Grisaffe on April 27, 1986, reflecting higher compensation and withholdings for 1985. Mr. Grisaffe then filed amended Federal and state

038707 / 132795

income tax returns. For both the original and the amended tax returns, Mr. Grisaffe used the services of a certified public accountant, and he now claims the \$70 preparation fee for the amended tax returns on the basis that this expense was necessitated solely because of an error by his agency.

OPINION

There is no statutory or regulatory authority that may serve as a basis to allow Mr. Grisaffe's claim for this fee. There is no authority to reimburse an employee for the use of an accounting firm or any other person to prepare tax returns, and, although the agency's error necessitated the preparation of amended tax returns, there is no authority to reimburse for this expense.

Mr. Grisaffe seeks reimbursement of this fee in connection with his other relocation expenses, but we find no authority in the statutes or the regulations governing the reimbursement of relocation expenses for Federal employees which specifically authorize the payment of fees incurred by employees for the preparation of their income tax returns. See 5 U.S.C. §§ 5721-5733 (1982 and Supp. III, 1985) and the Federal Travel Regulations (FTR), FPMR 101-7, incorp. by ref., 41 C.F.R. § 101-7.003 (1985). Although there is authority to reimburse miscellaneous relocation expenses, we have permitted reimbursement for only those expenses necessarily incurred because of the transfer. See Cyrus E. Phillips, IV, B-205695, August 2, 1982. We find no basis to allow Mr. Grisaffe's claim under the authority for the reimbursement of relocation expenses since the use of the accountant was not required by or related to his transfer.

Accordingly, there is no basis to allow Mr. Grisaffe's claim.

for 
Comptroller General
of the United States